PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 10/656,668 Application Number September 4, 2003 Filing Date **TRANSMITTAL FORM** Bomy Chen First Named Inventor 2814 Art Unit (to be used for all correspondence after initial filing) **Examiner Name** Long Pham Attorney Docket Number 2102397-992670 11 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Drawing(s) Fee Transmittal Form to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to Group Petition (Appeal Notice, Brief, Reply Brief) Mendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Status Letter Affidavits/declaration(s) Power of Attorney, Revocation Change of Correspondence Address Other Enclosure(s) (please Identify below): **Extension of Time Request** Terminal Disclaimer Return postcard Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is Response to Missing Parts/ Incomplete Application enclosed. Response to Missing Parts Customer No. 26379 under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Alan A. Limbach, Reg. No. 39,749 Firm Gray Cary Ware & Freidenrich LLP Individual name Signature September 21, 2004 Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Kathleen LaBrie Typed or printed name Date September 21, 2004 Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any commence on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Xpplication No.

: 10/656,668

Applicant

Bomy Chen

Filed

September 4, 2003

TC/A.U.

2814

Examiner

Long Pham

Title

MEMORY DEVICE WITH DISCRETE LAYERS OF PHASE

CHANGE MEMORY MATERIAL

(as amended herein)

Docket No.

2102397-992670

Customer No.

26379

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 21, 2004

Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

GRAY CARY WARE & FREIDENRICH Date: 09/21/04

By: Kathleen harbree

Kathleen LaBrie

RESPONSE TO OFFICE ACTION OF AUGUST 31, 2004

Sir:

In response to the Office Action of August 31, 2004, please amend the above identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 9 of this paper.